



PROGRAM MATERIALS

Program #3667

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Thrive Under Pressure -A Lawyer's Guide to Coping with Stress, Anxiety and Fear

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Thrive Under Pressure

A Lawyer's Guide to Coping with Stress, Anxiety and Fear



Presented by:
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What Is A LAP ?

Our mission:

To provide a caring peer assistance program to save the lives and restore the health and professional competence of lawyers and judges, members of their families, and law students who are at risk as a result of alcohol and drug use, gambling, depression or other serious mental illness. We carry out this mission through a combination of confidential helpline services, volunteer support and education.

- ## We Protect Your Identity and Information

LAPs do **not*** report or disclose any identifying information to the Supreme Court, the Judicial Conduct Board, the Disciplinary Board, the Board of Law Examiners or any other agency of the Supreme Court; nor do we report or disclose any identifying information to a State Bar Association, local Bar Associations or any judicial or law related organization. We do not report any identifying information to anyone without your prior consent.

You may remain anonymous and still receive our services.

***Consult the Rules of Professional Conduct in YOUR STATE**

ABA Model Rule 8.3

Reporting Professional Misconduct

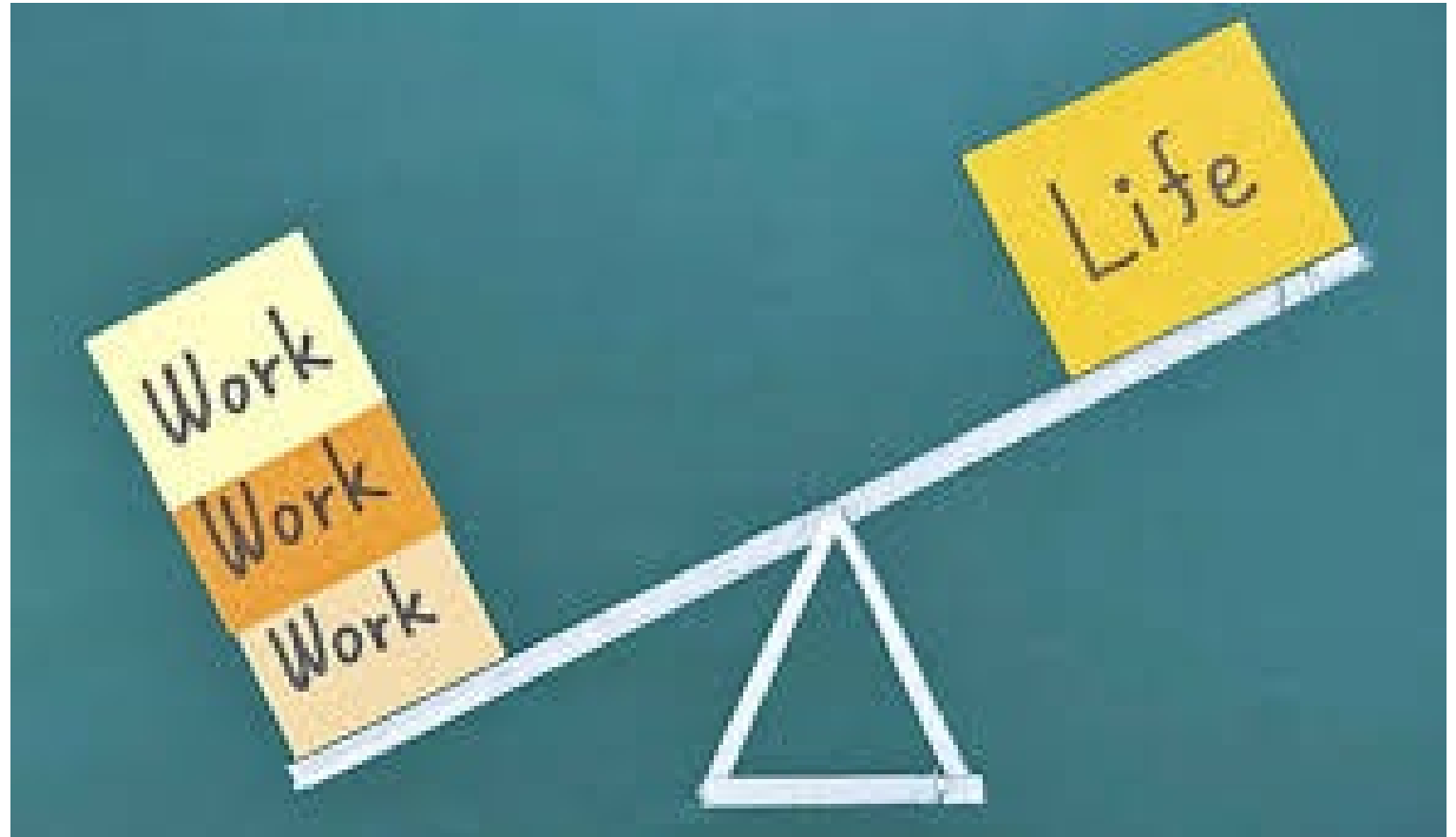
- (a) A lawyer who knows that another lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question as to that lawyer's honesty, trustworthiness or fitness as a lawyer in other respects, shall inform the appropriate professional authority.
- (b) A lawyer who knows that a judge has committed a violation of applicable rules of judicial conduct that raises a substantial question as to the judge's fitness for office shall inform the appropriate authority.

GUIDANCE FROM THE COURT

ABA Rules of Professional Conduct address that concern by providing an exception to the duty to report: Rule 8.3(c) does not require disclosure of information otherwise protected or information gained by a lawyer or judge while participating in an approved lawyers assistance program.

Comment 7 “... providing for an exception ... encourages lawyers and judges to seek treatment through such a program. Conversely, without such an exception, lawyers and judges may hesitate to seek assistance from these programs, which may then result in additional harm to their professional careers and additional injury to the welfare of clients and to the public.” (emphasis added)

THE
PROBLEMS



Lawyers have been at an increased risk to develop alcohol, substance use and mental health disorders for many years.



ABA / Hazelden- Betty Ford Study

(Published February, 2016 *Journal of Addiction Medicine*)

Problematic Drinking*

- 6.4% of entire U.S. population
- **21%** of all licensed attorneys
- **32%** of all attorneys under 30 yrs. old

* Problematic drinking defined as hazardous, possible dependence





ABA / Hazelden- Betty Ford Study

(Published February, 2016 *Journal of Addiction Medicine*)

Depression, Anxiety and Stress Scale

- Depression – **28%** of all attorneys
- Stress – **23%** of all attorneys
- Anxiety – **19%** of all attorneys
- Higher rates among younger lawyers

Mental Health By The Numbers

A recent survey conducted by ALM Intelligence and Law.Com revealed:

- **74%** feel the profession has had *a negative impact* on their mental health.
- 44% use alcohol to deal with *stress*.
- **64%** feel they suffer from *anxiety*.
- 31% feel they are *depressed*.
- **44% report issues with isolation**
- **74%** feel their *work environment* contributes negatively to their well being.
- **19%** have contemplated *suicide* at some point in their careers.



Mental Health By The Numbers

A recent survey conducted by ALM Intelligence and Law,Com revealed:

- 65% feel they could NOT take an extended leave from employment to tend to mental health issues.
- 78% felt an extended leave would hurt career trajectory.
- 77% were fearful of what the firm would think.
- 56% felt they had too much work to take a extended leave.





Aloneness

Solitude vs. Loneliness

Solitude

- The *physical* state of being alone
- Need not be a permanent experience
- Balance between solitude & togetherness
- Develop an “I’m not alone” mentality



Aloneness

Solitude vs. Loneliness

Loneliness

- The *emotional* state of being alone
- Response to perceived isolation
- Belief that no one understands our circumstances, thoughts or emotions
- More importantly, a belief that no one cares

Are You Technolonly ?



THE VIRTUAL WORLD

“Workers today are ‘never turned off.’ Like our mobile phones, we only go on standby at the end of the day as we crawl into bed, exhausted. Technology was supposed to liberate us from much daily slog...in 2002 fewer than 10% checked work email outside of work, today it is 50% often before we get out of bed...”

www.theguardian.com/lifeandstyle2018/jan/15

I'm leaving work to go home and check work email.



somee cards

WHAT IS STRESS ?

Psychological stress is composed of the following sequence of elements:

STIMULUS

THOUGHT

EMOTION

BEHAVIOR

WHAT IS STRESS ?

The central nervous system perceives a dangerous situation (*stimulus*) and then immediately begins to make appraisals which are **unconscious and internal**.

Once we become aware of our *thoughts*, we make **conscious** judgments in other sensory forms (visual, auditory) which are **external**.

As the central nervous system recognizes the dangerous situation we immediately experience “**sympathetic**” bodily responses – increase heart rate, sweating, faster breathing.

The internal and external appraisals combine to produce an **emotion** (fear in this case)

The emotion pushes the body to react (**behave**) externally

The thoughts and emotions are internal and subjective – part of the way we habitually respond to things – and are changeable, otherwise everyone would react in the same manner to a situation.

If we cannot interrupt or change the stimulus which produces the stress, then we must interrupt or change our appraisal of it.



HOW STRESSED ARE YOU ?

- My work requires me to do too much in too little time.
- I don't have enough time to spend with my family and friends.
- The people at my law firm or department are cold, unfriendly or rude.
- The physical environment is unpleasant.
- I deal with too many unreasonable and difficult people.



HOW STRESSED ARE YOU ?

- My firm or department is too focused on profit.
- The physical environment is unpleasant.
- My work bores me.
- Billable hour quotas are a source of stress for me.
- I'm not good at what I do.
- I'm not making a positive contribution to society or the lives of others.
- What I am doing doesn't deserve respect /get enough respect.





HOW STRESSED ARE YOU ?

- I feel overly responsible for everything and everyone.
- I overanalyze things and am too cautious.
- I often feel depressed, defeated or hopeless.
- I often rely on alcohol or drugs to help me feel good.
- I think about quitting at least once a month.
- Occasionally, I think about suicide.

STRESS or DISTRESS ?

- Some stress is healthy. Positive stressors can energize and motivate us to be productive and creative problem solvers.
- A totally stress free life is not only unrealistic, it can actually be a harmful form of denial.
- We need to eliminate distress. Distress is harmful both physically and psychologically.



STRESS or DISTRESS ?

- Gradual, incremental increases in responsibilities, duties, pressures and demands at home and work combined with long workdays and weeks is risky.
 - We stay busy and “stuff” our feelings.
 - Even relaxing can cause us to feel distress.
 - We become unaware that we have lost balance in our lives.
-
- REMEMBER, DISTRESSED LAWYERS
EVENTUALLY LOSE THEIR EFFICIENCY AND
EFFECTIVENESS !!

Distress Assessment Quiz

Do any of the following attributes apply to you? Check the ones that apply:

- Do you sleep less than 7-8 hours per night?
- Is your sleep restless or do you wake up a lot?
- Is it difficult to get out of bed in the morning?
- Do you exercise less than 5 hours a week (including walks)?
- Do you eat a lot of fast foods or junk foods?
- Do you skip breakfast or lunch?
- Do you drink more than 2-3 cups of coffee a day?
- Do you drink more than 2-3 alcoholic beverages a day?

Distress Assessment Quiz

Do any of the following attributes apply to you? Check the ones that apply:

- Do you take sedatives or sleep aids with/without a drink to relax or sleep?
- Are you more impatient and irritable than you would like to be?
- Do you feel that you are not in control of your life?
- Are you feeling worn out at the end of most days?
- Do you wish for more time to spend with family or yourself?

Distress Assessment Quiz

Do any of the following attributes apply to you? Check the ones that apply:

- Are you worried about your marriage, children or parents?
- Are you struggling to make (financial) ends meet?
- Do you work a lot of nights, weekends or holidays?
- Do you skip vacations?
- Do you feel that you don't have anybody to confide in?
- Are you feeling stressed over how many "yes" answers you just gave?

The more marks, the greater the likelihood that you are in distress. Change is possible !!!

What is
Anxiety ?

Anxiety, noun

- A feeling of worry, nervousness, or unease, typically about an imminent event or something with an uncertain outcome

What is Anxiety ?

Excessive and intrusive worrying that disrupts daily functioning

Agitation and irritability

Restlessness and fatigue

Difficulty concentrating

Tense muscles

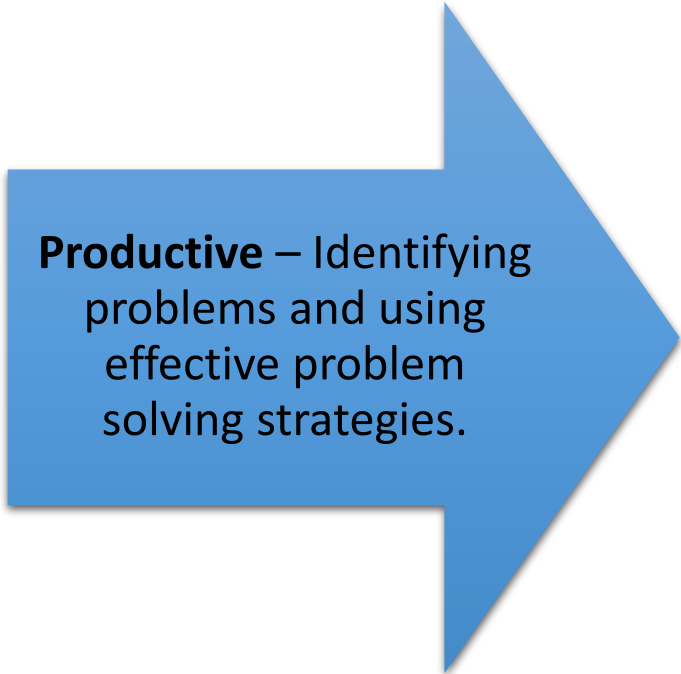

Trouble sleeping

What is Worry ?

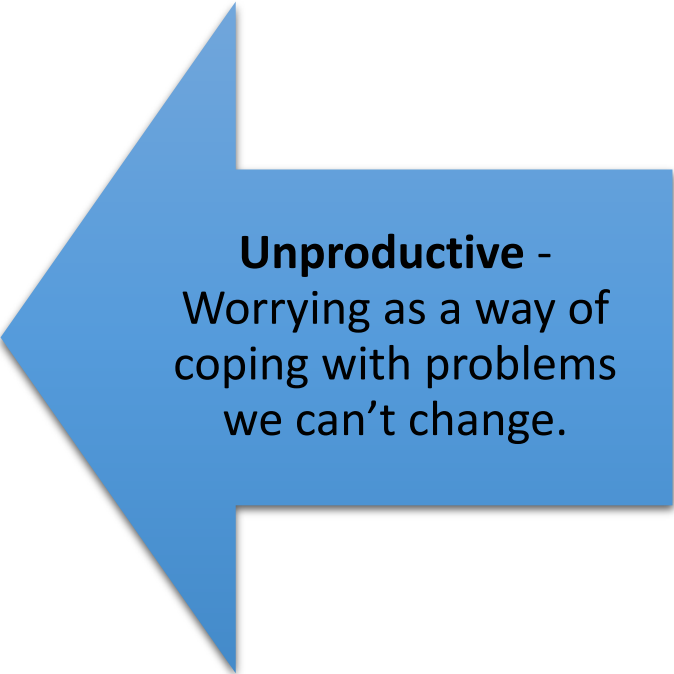
- Worry is a habit.
- Nearly everyone worries occasionally – it's a normal response to problems and the unknown
- A thought escalates into a story – “our” story in which we play out hypothetical scenarios in our imagination.
- These thoughts are often in the form of a “What if” question.



Productive worry vs. Unproductive worry



Productive – Identifying problems and using effective problem solving strategies.



Unproductive - Worrying as a way of coping with problems we can't change.

Why are Lawyers Stressed Out ?

While most people experience stress in their lives, lawyers and people in the legal profession face a unique conundrum : For many, the drive and dedication that make them successful as a lawyer is also what's causing stress and burning them out !



What Is Perfectionism ?

Perfectionism, in psychology, is a broad personality trait characterized by a person's concern with striving for flawlessness and perfection and is accompanied by critical self-evaluations and concerns regarding others' evaluations.



Perfectionism

Perfectionists set excessively high goals for themselves, and when they fail to reach a goal, they experience major self-doubt and worry about measuring up.



Adaptive Perfectionism

Perfectionism that is healthy and normal and relates to an intense effort that is put forth to achieve a certain goal. Adaptively perfectionistic individuals set high, but realistic standards, and don't resort to harsh self-criticism when these standards are not reached.



Maladaptive Perfectionism

- In contrast, *maladaptive* perfectionism can be characterized by perfectionism that gets in the way of leading a successful and happy life. A need to be in control of every aspect of one's life and environment.



Do YOU Ever Feel Like This ?

1. I can trick people into thinking I know more than I do.
2. When I receive a compliment, I worry I won't live up to it.
3. I avoid having people critique or evaluate me.
4. Do you feel "pushed" by fear instead of "pulled" by desire?
5. I mostly remember my failures instead of my successes.
6. I rarely perform as well as I would like to.
7. Do you feel "almost perfect" is a failure?

Do YOU Ever Feel Like This ?

8. Are you so focused on goals that you can't enjoy the process?
9. If I'm not recognized as the "best", I feel inferior and depressed.
10. I worry about succeeding even though I'm told that I am
11. Are you so worried about imperfection that you procrastinate?
12. I feel those around me are more competent compared to me.
13. I rarely perform as well as I would like to.
14. Do you fear trying something new?
15. **Are you so rigid and self critical that you isolate?**

In other words.....

Our personalities and
Our Profession put us
at High Risk



So....what are we going to do ?



Strategies (that work)





Impossible

Set *REALISTIC*
Goals for Yourself

Set Realistic Goals

Focus on things you CAN control

Lawyers already have control issues. As long as we're focusing on questions with unknowable answers and circumstances outside of our personal control, this strategy will get us nowhere other than **drained, anxious and overwhelmed !**



Remember.....

'A goal without a plan is just a wish.'

--Antoine de Saint-Exupery--



“The key is not to prioritize what's on your schedule, **but to schedule your priorities.**”

- Stephen Covey



Prioritize your day

- Step back and look at your “to-do” list.
- How many are critical and **MUST** be done that day.
- What are you working to achieve ?
- Create a plan that will work toward your objective.
- THEN schedule your priorities
- DON'T have 10 things on your list – focus on 3 or 4 !

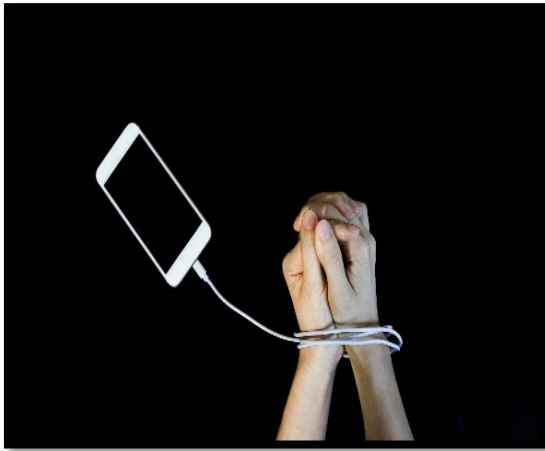


USE QUICK STRESS-BUSTERS

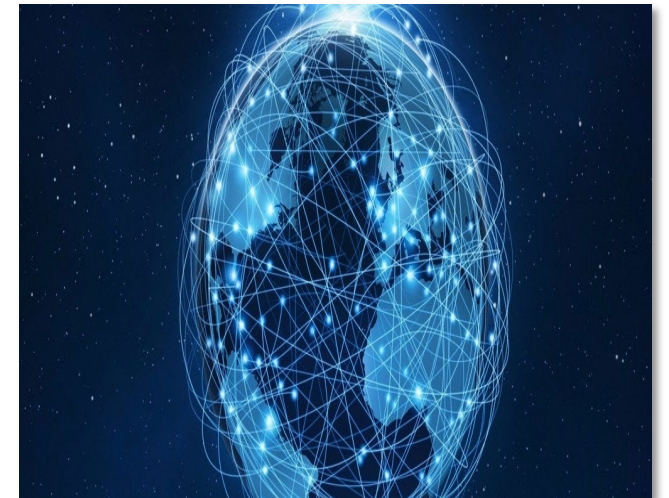
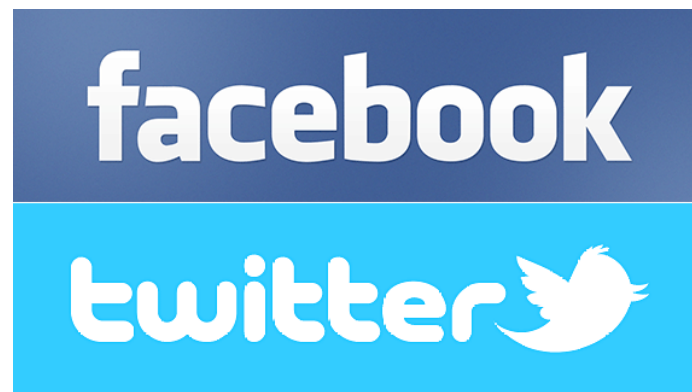
- Pause – lean back- give your eyes a rest for a couple minutes.
- Take three deep breaths and imagine your muscles relaxing from head to toe.
- Be mindful. Focus on the immediate present. Enjoy the moment.
- Maintain a sense of humor about yourself.
- *Healthy* routines are good- don't get trapped in a rut
- Prioritize at work and home and manage your time effectively.
- **ASK FOR HELP.** Talk it out with someone you trust.



SET BOUNDARIES



Disconnect



Boundaries: Disconnect

- Turn off notifications.
- Do not charge your phone beside bed.
- Do not keep phone with you during meals, exercise, or social activities.
- Read a book or magazine rather than your phone or tablet.
- Get away from your PC to do some work, take healthy breaks from the screen, and don't take the laptop with you on weekends or vacations.





Boundaries: Set Limits

- Check email x times per day at designated times (and let clients and colleagues know/expect that).
- Limit Social Media to 10 minutes per platform per day, Use a timer (Hunt et. al, 2018).
- Monitor your use (use monitoring apps, check Screen Time on iPhone, etc.).
- Use Do Not Disturb.



MORE QUICK STRESS-BUSTERS

- Meditate and/or pray. CONSISTENT stress reduction occurs with only 10 minutes of daily meditation.
- Unplug from social media when acutely stressed.
- Exercise.
- Eat a healthy diet.
- Cultivate a positive attitude.
- Sleep 8 hours/ night when possible.
- Avoid overuse of alcohol or prescription drugs. These short term “fixes” just mask the problem and can lead to negative health and social consequences.



How do we calm our anxiety ?



While Anxiety makes entry into the future a thing to be dreaded, it also eradicates any memory of the bounty of the present.

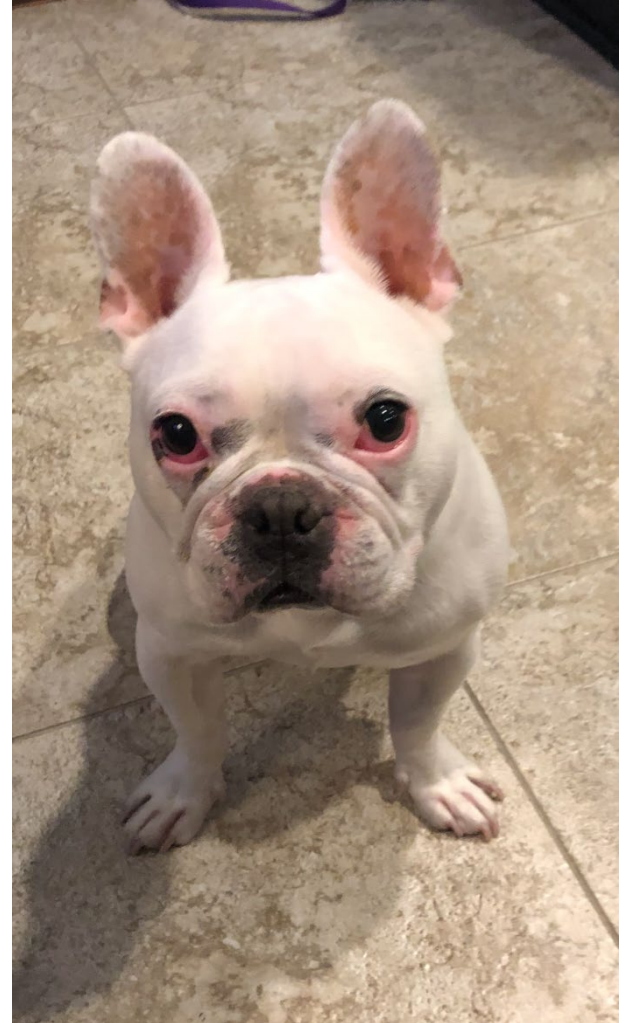
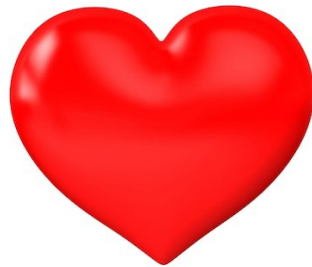
Meditation/Mindfulness

- Key to being truly present/not projecting
- Key to identifying our TRUE feelings
- Acknowledge feelings but don't attach (mountain/clouds)
- Breathing meditation
- Reduces "mental chatter"
- Helps eliminate the "what if's"
- Normal for us all to feel WAVES of emotion now



Gratitude

- Improves sleep
- We become more centered on others/humility
- Reduces depression
- Memorialize for reflection
- Gratitude journal
- Positive state of mind
- Directly correlated with Happiness and Peace
- Builds resiliency
- Boost productivity



Activate the Parasympathetic Nervous System

- Running/Hiking/Walking
- Swimming
- Dancing
- Playing a Musical Instrument
- Yoga
- Painting / Creating Art
- Gardening / Working with Hands
- Golfing
- Cooking



Benefits of Activating the Parasympathetic Nervous System

- Cardiovascular Health
 - Reduces stress that causes constricted blood vessels
- Blood Circulation and Hydration
 - Valve system keeps pumping
- Pain Relief
 - Improved information processing to brain
- Respiration
 - Improved oxygenation
- Digestion & Food Allergies
 - Fight or flight vs. rest and digest
- Aging process
 - Improved memory, posture



Give Yourself a Chance for Success

1. Do not isolate
2. Share your goals
3. Declutter !
4. Connect to a greater life purpose
5. Be kinder to yourself
5. Leave time for compassion
6. Understand perfectionism vs. excellence
7. Make this a year dedicated to growth and resiliency.
8. **REMEMBER – DON'T OVERDO IT !! BE REALISTIC !!**



Why Can Law Professionals Be Challenging to Approach?

- Highly educated; the '**paralysis of analysis**' effect (adept at rationalization and comparison)
- Excel at debate
- Accustomed to being in control
- Excessive dependence on self-reliance
- Pressure to appear invincible



WHO ? ME ??

A high-functioning impaired individual might feel hopeless, but she puts on a strong front. The high-functioning impaired attorney is at high risk and will push people away



A grayscale photograph of a woman with her eyes closed and a slight smile, covering her ears with her hands. This visual metaphor represents denial or the desire to avoid a painful truth.

What keeps many professionals from seeking or accepting the help they so desperately need ?

1. Shame and Embarrassment- STIGMA

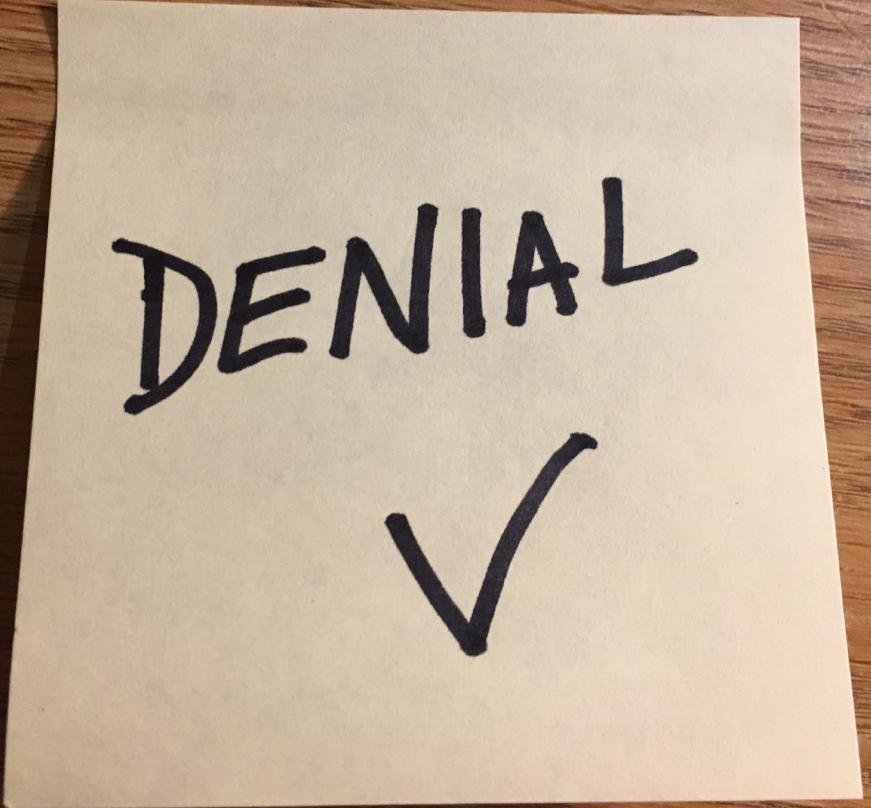
1. Denial

2. Cunning ,insidious diseases

3. Enabling

Dealing with *Denial*

- The most potent barrier
- Psychological defense mechanism
- Rationalize and minimize behavior
- Honestly believe they are under control
- I'm not one of "them" mentality



DENIAL
✓



THE CONSPIRACY OF SILENCE

- Lawyers are trained to deal with and solve problems. Thus, it is most difficult for the attorney to seek help since by doing so he feels he is admitting failure.
- Complicating this problem further is the tendency of the attorney's or judge's peers to indulge in a conspiracy of silence (enabling), and lighten the normal stresses of our profession.

ENABLING

- Removes motivation to change
- Provides evidence that fuels denial
- Allows cons of treatment to outweigh pros
- PREVENTS treatment of a progressive disease
- Greater harm to career, family and well being
- Not good for YOU either !!



Are YOU an Enabler ?

1. **RATIONALIZE** your colleague's behavior by blaming other situations ?
2. **CLEANUP** your colleague's messes ?
3. **IGNORE** new bad behaviors ?
4. **HIDE** your thoughts or feelings to avoid angering a colleague ?
5. **LIE & MAKE EXCUSES** for behavior to colleague's clients or coworkers ?



Are YOU an Enabler ?

6. **RESENT** your colleague because they don't seem to care ?
7. **HELP** your colleague by loaning money ?
8. **RESCUE** your colleague when impairment gets them into trouble ?
9. **BACKDOWN** from ultimatums that you know you can't meet ?
10. **GIVE A MILLION "LAST CHANCES"** to colleague for change ?



DO NOT.....

01

Wait until a
crisis develops

02

Try to diagnose
or treat the
problem

03

Ignore the issue
of job
performance

04

Get distracted
by excuses or
pleas of
sympathy

05

Discuss a
colleague's
referral for help
with others

What can YOU do ??



Although it is difficult, remember that your end goal is to help motivate the impaired lawyer to seek professional help they so desperately need.

To Call LAP...or Not to Call



- I'm ok. I can work this out for myself.
- I'm not like a "real" alcoholic anyway.
- I want help but I don't want anyone to know.
- Will I be reported to Discipline?
- I already tried to get help and it didn't work.
- I don't have the money to pay for treatment.
- What will people say about me if I ask for help ?
- It's no use – nobody will understand – I give up!

To Call LAP...or Not to Call

- Is this really any of my business?
- I want to help but I don't want to get involved.
- Will I harm his/her or the firm's reputation?
- Must I report him or her to Discipline?
- I already tried to help and it didn't work.
- Let's wait and see. Maybe it will get better.
- I really don't have time for someone else's problems.





Remember, every month, every day, every *moment* is the opportunity to live a new cycle— we don't have to wait until a new year to start a cycle! Being a healthy lawyer is *part* of being a good lawyer.

2026



Thrive Under Pressure

A Lawyer's Guide to Coping with Stress, Anxiety and Fear

Thank you all for attending today's Continuing Legal Education program.

If you have any questions that were not answered or would like to contact me for any reason, please call or email me at the following:

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Directory of Lawyers Assistance Programs by State

- https://www.americanbar.org/groups/lawyer_assistance/resources/lap_programs_by_state.html

ADDITIONAL RESOURCES

- **2017 CoLAP National Conference for Lawyers Assistance Programs, [Well Being Tool Kit](#)**
- https://www.americanbar.org/content/dam/aba/administrative/lawyer_assistance/lc_colap_Brafford_Tool%20Kit.authcheckdam.pdf

National Task Force on Lawyer Well Being, [The Path to Lawyer Well Being](#)

- <https://www.americanbar.org/content/dam/aba/images/abanews/ThePathToLawyerWellBeingReportRevFINAL.pdf>
- **Directory of Lawyers Assistance Programs by State**
- https://www.americanbar.org/groups/lawyer_assistance/resources/lap_programs_by_state.html

ADDITIONAL RESOURCES

- “Need a helping hand? Here’s what a lawyers assistance program can do for you” http://www.abajournal.com/news/article/podcast_monthly_episode_97
- 1-800-273-TALK www.suicidepreventionlifeline.org

“What Are Partners’ Duties When a Colleague is Impaired? Draft Opinion Calls for These Steps” http://www.abajournal.com/news/article/what_are_partners_duties_when_a_colleague_is_impaired_draft_opinion_calls_for_these_steps/?utm_source=maestro&utm_medium=email&utm_campaign=weekly_email